

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; the “Act”) and Chapter 342D, Hawaii Revised Statutes, and Chapters 11-54 and 11-55, Administrative Rules, Department of Health, State of Hawaii,

**U.S. ARMY CORPS OF ENGINEERS
HONOLULU ENGINEER DISTRICT**

(hereinafter “PERMITTEE”),

is authorized to discharge storm water associated with construction activities and construction dewatering effluent from its **Repair of Waioloa and Waiakea Stream Flood Control Project**,

located in Hilo, Hawaii, 96720,

at Outfall Serial No. 001, to the receiving waters named Waiakea Stream, at coordinates: Latitude 19°42'59"N, Longitude 155°04'39"W, and at various points along the stream,

in accordance with the effluent limitations, monitoring requirements and other conditions set forth herein, and in the attached Department of Health “Standard NPDES Permit Conditions,” dated December 31, 2002.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2001, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

This permit will become effective the date of signature.

This permit and the authorization to discharge will expire at midnight, **December 31, 2004.**

Signed this _____ day of _____, 2003

(For) Director of Health

TABLE OF CONTENTS

PART A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

PART B. REPORTING REQUIREMENTS

1. Reporting of Monitoring Results
2. Reporting of Noncompliance
3. Reporting of No Discharge
4. Type of Sample

PART C. SPECIAL REQUIREMENTS

1. Schedule of Submission
2. Additional Conditions

PART D. APPENDIX

Location Map

STANDARD NPDES PERMIT CONDITIONS (Attached)

PART A
PERMIT NO. HI 0021805
Page 3

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the effective date of this permit and lasting through December 31, 2004, the Permittee is authorized to discharge storm water associated with construction activities and construction dewatering effluent from its Repair of Wailoa and Waiakea Stream Flood Control Project at Outfall Serial No. 001 and various points along the stream.
2. Storm water associated with construction activities and construction dewatering effluent shall receive the treatment described in the NPDES application, dated February 25, 2003, and/or later amendments to the NPDES application. The most recent amendments shall be implemented if there are any modifications to previous submittals.
3. The Permittee shall record the time each discharge began, the location, and the duration. The record shall be submitted with the Monthly Discharge Monitoring Report.
 - a. The discharge of construction dewatering effluent shall be monitored by the Permittee as specified in Table A. Construction Dewatering Effluent Limitations and Monitoring Requirements.

TABLE A. CONSTRUCTION DEWATERING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Effluent Parameter	Discharge Limitations	Measurement Frequency	Sample Type
Flow (GPM and Gallon)	Report	Once/Discharge ⁽¹⁾	Calculated or Estimated
Total Suspended Solids (mg/L)	Report	Once/Discharge ⁽²⁾	Grab/Composite
Turbidity (NTU)	Report	Once/Discharge ⁽²⁾	Grab
Oil and Grease (mg/L)	15	Once/Discharge ⁽²⁾	Grab
pH (Standard Units)	5.5 to 8.0	Once/Discharge ⁽²⁾	Grab

⁽¹⁾ - For intermittent discharges, flow measurement shall be taken once per each discharge for the duration of the discharge. For continuous discharge, continuous flow measurement is required.

⁽²⁾ - For intermittent discharges, sample shall be taken once per each discharge. For continuous discharge, at a minimum, sample shall be taken once weekly.

PART A
PERMIT NO. HI 0021805
Page 4

4. Representative samples of the construction dewatering effluent discharges taken in compliance with the monitoring requirements shall be taken following dewatering treatment and prior to entering the storm drain system.
5. Test procedures
 - a. Test procedures for the analysis of pollutants shall conform with regulations published pursuant to Section 304(h) of the Act.
 - b. Unless otherwise noted in this permit, all pollutant parameters shall be determined according to methods prescribed in 40 CFR Part 136, promulgated pursuant to Section 304(h) of the Act. Applications(s) for the use of alternative test methods shall be submitted according to 40 CFR Part 136.4.
 - c. The detection limit of the test methods used shall reflect the applicable numerical limitations as specified in Hawaii Administrative Rules, Chapter 11-54. If the test result is not detectable, indicate that the test result is "less than #," where the # is the lowest detection limit of the test method used. Monitoring results shall be conducted according to test procedures approved under 40 CFR Part 136 with the detection limits low enough to measure the compliance with the permit discharge limitations. For cases where the permit discharge limitation is lower than the lowest detection limit of the appropriate test procedure, permit compliance shall be based upon the lowest detection limit of the test method, until otherwise notified.
 - d. Recording of Results

The Permittee shall comply with Section 14.c. of the Standard NPDES Permit Conditions for each measurement or sample taken pursuant to the requirements of this permit.

6. Basic Water Quality Criteria and Inspections
 - a. The Permittee shall not cause or contribute to a violation of the basic water quality criteria as specified in Section 1 of the Standard NPDES Permit Conditions.
 - b. The Permittee shall timely inspect the receiving state waters, effluent, and control measures and Best Management Practices to detect violations of and conditions which may cause or contribute to a violation of the basic water quality criteria as specified in section 1 of the Standard NPDES Permit Conditions. (e.g. The Permittee shall look at effluent and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce odor or off flavor in fish, and items that may be toxic or harmful to human or other life.)

B. REPORTING REQUIREMENTS

1. Reporting of Monitoring Results

Monitoring results for construction dewatering effluent discharges and hydrotesting discharges obtained during the previous calendar month shall each be summarized and reported on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1). Separate DMR Forms shall be submitted for each set of discharge monitoring results and shall indicate the type of discharge. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this permit. Monitoring reports shall be postmarked no later than the 28th day of the month following the completed reporting period. The monitoring reports shall also include the laboratory, including quality assurance/quality control data; effluent flow calculations; and any additional treatment strategies to be implemented based on monitoring results. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the Director of Health (Director) at the following addresses:

Regional Administrator
U.S. Environmental
Protection Agency
Attention: WTR-7, NPDES/DMR
75 Hawthorne Street
San Francisco, CA 94105

Director of Health
Clean Water Branch
Environmental Management
Division
State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

2. Reporting of Noncompliance

a. The Permittee shall orally report either of the following:

- (1) Violation of an effluent limitation specified in Tables A. and B. of Part A of this permit or a basic water quality criterion specified in Section 1 of the Standard NPDES Permit Conditions;
- (2) Discharge or noncompliance with effluent limitations which may endanger health or the environment; or
- (3) Unanticipated bypass or upset;

within 24 hours from when the Permittee becomes aware of the circumstances.

b. Oral reports shall be made by telephone to the Clean Water Branch at (808) 586-4309 during regular office hours or the Hawaii State Hospital Operator at (808) 247-2191 outside of regular office hours.

PART B
PERMIT NO. HI 0021805
Page 6

- c. A written report shall be provided within five days of the time the Permittee becomes aware of the circumstances. The written report shall include:
 - (1) A description of the noncompliance, unanticipated bypass, or upset and its cause;
 - (2) The period of noncompliance, unanticipated bypass, or upset including exact dates and times;
 - (3) If the noncompliance, unanticipated bypass, or upset has not been corrected, the anticipated time it is expected to continue; and
 - (4) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance, unanticipated bypass, or upset.
- d. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

3. Reporting of No Discharge

Should there be no discharge during the monitoring period, the discharge monitoring report form shall so state.

4. Type of Sample

"Grab sample" means an individual sample collected at a randomly-selected time over a period not exceeding 15 minutes.

"Composite sample" means a combination of at least eight (8) sample aliquots, collected at periodic intervals during the operating hours of the facility over an 24-hour period. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically.

C. SPECIAL REQUIREMENTS

The Permittee shall:

1. Comply with all plans, reports, specifications and other related materials submitted in and with the NPDES Application, dated February 26, 2003, and/or later amendments to the NPDES Application.
2. Maintain a copy of this permit, enclosures, plans, reports, specifications and other related materials submitted in and with the NPDES Application, dated February 26, 2003, and/or later amendments to the NPDES Application at the job site or at a nearby field office until termination of the subject activities.
3. Ensure that anyone working under this permit complies with the terms and conditions of this permit.
4. Immediately stop, reduce, or modify the discharge as needed to stop or prevent a violation of the basic water quality criteria as specified in Section 1 of the Standard NPDES Permit Conditions.
5. Review the effectiveness and adequacy of the implemented dewatering plan and Best Management Practices plan and updated them as often as necessary. Any change(s) to the dewatering plan and/or Best Management Practices Plan or correction(s) to information already on file with the Department of Health shall be submitted to the Clean Water Branch as such change(s) or correction(s) arise. The Permittee shall address the Department of Health's comments and/or concerns to the Director's satisfaction before dewatering discharge activities under such change(s) or correction(s) commence.
6. Take all reasonable steps to minimize or prevent any discharge or disposal of sediments, oil, fuel, pesticides or any other pollutants which will cause violation of this general permit or applicable law. Sediments or any other pollutants generated by the construction shall be disposed of in a manner which prevents its entrance into or pollution of any surface or subsurface waters.
7. Submit all information required under this permit with the assigned file number **HI 0021805** and the following signed certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person

or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

8. Submit all information required under this permit to the following address:

Director of Health
Clean Water Branch
Environmental Management Division
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

9. Notify the Director upon the termination of the discharge activities.

D. APPENDIX

Location Map

(see Attachments 1 & 2)